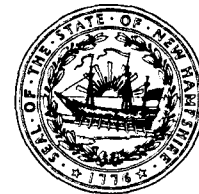




State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095  
(603) 271-3503 FAX (603) 271-2867



February 22, 2000

Mr. James Larkin  
Selectman  
Town of Danbury  
4A High Street  
Danbury, NH 03230

**CERTIFIED MAIL (Z 535 302 037)**  
**RETURN-RECEIPT REQUESTED**

**LETTER OF DEFICIENCY**  
**No. ARD 2000-01**

Re: Open Burning of Materials that Do Not Conform to the Provisions of CHAPTER ENV-A 1000 and  
PIP Authorization No. 13667

Dear Mr. Larkin:

On November 24, 1999, the New Hampshire Department of Environmental Services, Air Resources Division ("DES"), performed an inspection at the Town of Danbury's Solid Waste Transfer Station (WMD Permit No. DES-SW-85-002) off North Road at Tax Map 201, Lot 83 in Danbury, NH ("The Station"). The purpose of the inspection was to determine compliance with the NH Admin. Rules Env-A 100-3600, NH Rules Governing The Control of Air Pollution, specifically, CHAPTER Env-A 1000, Prevention, Abatement, and Control of Open Source Air Pollution, and AUTHORIZATION TO BURN WOOD & YARD WASTES, PIP No. 13667 ("PIP No. 13667") which authorizes the Town of Danbury to operate a municipal burn site for untreated waste wood and brush.

At the time of the inspection, the DES inspector observed the following charred materials in the ash pile: metal springs, assorted metal, asphalt shingles, newspaper, magazines, and metal cans. In a separate burn pile, the DES inspector observed the following non-conforming material: cardboard, a mattress, furniture, particle board, painted wood (including window frames), stained wood, and painted strapping.

Based upon the findings of the inspection, DES has determined that the Station has been operating in violation of Env-A 1001.04(a)(2) and Conditions Number 2(a)(b) of PIP No. 13667.

Env-A 1001.04(a)(2) restricts any city or town to burning only brush or untreated wood.

Condition No. 2(a)(b) requires all burning to be conducted in accordance with the requirements of Env-A 1000 and that the following materials only shall be accepted and treated at the burn site:

- a. **"Brush"**, defined to mean tree tops, limbs, saplings, and tree cuttings, to include attached leaves which are five inches in diameter or less, and slash which measures five (5) inches in diameter or less; and
- b. **"Untreated wood"**, defined to mean any timber, board, or sawn dimensional lumber which has not been treated, coated, or preserved. This term does not include any manufactured building material, such as plywood or waferboard.

DES believes that the above-referenced deficiencies can be resolved if the Station adheres to the following procedures:

1. Separate materials that do not meet the specifications of Condition 2 of PIP No. 13667 from the burn area, and burn only permissible materials as described in PIP No. 13667;

2. Submit a statement in writing to DES within ten (10) days of receipt of this Letter of Deficiency attesting that if open burning activities continue they will be conducted in accordance with PIP No. 13667 and Env-A 1000.

Attached is a copy of PIP No. 13667 and Env-A 1000 for your reference. Please submit the requested information, within the specified time frame, to the following address:

Ms. Mary Ruel  
New Hampshire Department of Environmental Services  
Air Resources Division, Compliance Bureau  
6 Hazen Drive, P.O. Box 95  
Concord, NH 03302-0095

In the event that compliance is not achieved within the specified time frame, DES may take further action against you, including issuing an administrative order, seeking administrative fines, revoking PIP No. 13667, and/or referring this matter to the NH Department of Justice for civil and/or criminal penalties. Please note that DES may conduct follow-up inspections to verify your compliance with air pollution control requirements.

If you have any questions concerning this letter of deficiency, please contact Ms. Mary Ruel, Compliance Bureau, Air Resources Division, at (603) 271-6795.

Sincerely,



Robert R. Scott  
Administrator  
Compliance Bureau  
Air Resources Division

RRS:mtc

Enclosure: PIP No. 13667 and Env-A 1000

cc: K. A. Colburn, DES O/C  
G. Rule, DES O/C  
T. McCusker, EPA, Region I  
Robert D. Nelson, Chief, Forest Protection, DRED

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